IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 21122 of 2003(M)

PETITIONER:

A.M.SATHEENDRAN,
AGED 37 YEARS S/O. MADHAVAN,
ROOM BOY, KOUSTHUBHAM REST HOUSE,
GURUVAYUR DEVASWOM, GURUVAYUR.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:
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1. THE COMMISSIONER, GURUVAYUR DEVASWOM,
OFFICE OF THE GURUVAYUR DEVASWOM COMMISSIONERATE
THIRUVANANTHAPURAM (PRINCIPAL SECRETARY TO
GOVERNMENT HIGHER EDUCATION DEPARTMENT,
SECRETARIAT, TRIVANDRUM.

2. THE ADMINISTRATOR, GURUVAYUR DEVASWOM,
GURUVAYUR.

BY GOVERNMENT PLEADER
ADV.SRI.M.RAMESH CHANDER, SC, GDB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 21122/2003 M

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE PROCEEDINGS NO. B4/8778/2001 OF THE R2 DT. 27/6/2001.

EXT.P2. COPY OF THE MEMO NO. B4 8778/2001 OF -DO- DT. 6/10/2001.

EXT.P3. COPY OF THE REPLY OF THE PETITIONER DT. 1/10/2001.

EXT.P4. COPY OF THE PROCEEDINGS NO.B4/8778/2001 OF THE R2 DT. 6/7/2002.

EXT.P5. COPY OF THE ORDER NO. A5/ 5774/2002 OF -DO- 10/09/2002.

EXT.P6. COPY OF THE RP FILED BEFORE THE R1 DT. 29/10/2002.

EXT.P7. COPY OF THE ORDER NO. 298/2002/GDC OF THE R1 DT. 24/4/2003.

RESPONDENT'S EXHIBITS

EXT.R2A. COPY OF THE REPORT OF the CI OF POLICE, GURUVAYUR DT. 25/2/2002.

EXT.R2B. COPY OF THE APPLICATION FOR LEAVE.

EXT.R2C. COPY OF THE APPLICATION.

True copy

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KURIAN JOSEPH, J.

W.P.(C) No.21122 of 2003

Dated 14th March, 2007.

J U D G M E N T

The issue pertains to regularisation of the suspension period as leave without allowance, and the recovery of the subsistence allowance. The issue is covered in favour of the petitioner by the decision of this Court in **Thomas T.J. v. Deputy Director of Education and others** [2005(4) ILR (Kerala) 37]. Hence the impugned orders are quashed and the writ petition is allowed.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 14th March, 2007.